



**TITLE:** Final EIR/EIS F-B Section: Church Avenue BNSF and HSR Overhead (OH) Structure-Design Only **DATE:** 5/1/2018

**PROJECT:** Construction Package No. 1 **CONTRACT NO:** HSR 13-06

**CONTRACTOR:** Attn: Ghassan Ariqat  
Tutor Perini/Zachry/Parsons, a Joint Venture  
1401 Fulton Street  
Suite 400  
Fresno, CA 93721

**DESCRIPTION OF CHANGE:**

In accordance with Special Provisions Section 8.1.2, this Change Order compensates the Contractor for additional design efforts due to the material changes at the Church Avenue Grade Separation, Church Avenue OH, and Church Avenue Burlington Northern Santa Fe Railroad (BNSF) OH as shown in the Final EIR/EIS for the Fresno-to-Bakersfield Section as compared to the RDEIR/SDEIS.

The revised design will provide a signalized connection to East Avenue and will accommodate an access road for BNSF.

**EXTRA WORK AT AGREED LUMP SUM:**

For this work, the Contractor shall be paid the agreed lump sum of **\$176,404.90**. This lump sum constitutes full and complete compensation for providing all design services, including all markups by reason of this change.

By execution of this Change Order, the Contractor agrees that no additional compensation shall be paid for the design services to design Church Avenue Structure over both HST/UPRR and BNSF tracks as depicted in the Final EIR/EIS for the Fresno-to-Bakersfield Section.

**TIME ADJUSTMENT:**

Any delay due to this Change Order shall be evaluated pursuant to the Contract, including Section 23.4, "Equitable Adjustments – Limitation on Delay and Disruption Damages," of the *General Provisions*.

PCO	Payment Item	Description	Quantity	Unit	Unit Price	Net Amount	Time Adj. Days
0500	00001	Final EIR/EIS F-B Section: Church Ave. BNSF & HST OH Structure- Design Only	1.0	LS	\$176,404.90	\$176,404.90	0
Total:						\$176,404.90	0

Contractor	California High-Speed Rail Authority		
Acceptance by	Submitted by	Recommended by	Approved by

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**Release of Claims**

Except as modified by this Change Order, all terms and conditions of the Contract, as previously modified, remain unchanged and in full force and effect. The parties agree that this Change Order is a final and equitable adjustment of the Contract time and Contract amount and constitutes a mutual accord and satisfaction of all claims, current or future, of whatever nature caused by or arising out of the facts and circumstances surrounding this Change Order including, but not limited to, direct, indirect and consequential costs; additional time for performance; and the impact of the modifications specified in this Change Order, alone or taken with other changes, on the unchanged Work.

**Contractor's Sworn Certification**

By executing this Change Order for the Contractor below, the undersigned for the Contractor certifies as true, under penalty of perjury (under the laws of California, executed in Fresno, California), as follows:

This Change Order is made in good faith and in accordance with the terms of the Contract.

The amount of time and/or compensation requested accurately reflects the appropriate adjustments and includes all known and anticipated impacts or amounts that may be incurred as a result of the event or matter giving rise to such proposed change.


The Contractor has no reason to believe and does not believe that the factual basis for this Change Order is falsely represented.

The Contractor has investigated the basis for each Subcontractor claim and has determined that each such claim is justified as to entitlement and amount of money and/or time requested and has no reason to believe and does not believe that the factual basis for the Subcontractor's claim is falsely represented.


**Subcontractor's Sworn Certification(s):**

Attached as \_\_\_\_\_ [indicate "none" if no such Subcontractors are involved] are sworn certifications from each Subcontractor involved in the Work or event contemplated by this Change Order in the form above.


**Tutor Perini/Zachry/Parsons, a Joint Venture**

Acceptance by Signature 	Ghassan Ariqat – Project Manager/Director	Date 5/15/18
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**California High-Speed Rail Authority**

Submitted by Signature 	Glenn Suitor - D-B Oversight Manager	Date 5/16/2018
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Recommended by Signature 	Steven Milton- Design & Construction Manager	Date 5/16/18
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Approval by Signature 	Terry Ogle – Director of Design & Construction	Date 5/16/18
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